



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,486	08/10/2001	Shingo Eguchi	12732-067001	2842
26171	7590	07/27/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			SEFER, AHMED N	
			ART UNIT	PAPER NUMBER
			2826	
DATE MAILED: 07/27/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

<b>Office Action Summary</b>	Application No. 09/925,486	Applicant(s) EGUCHI ET AL.	
	Examiner A. Sefer	Art Unit 2826	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-27 is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8,9,12-14 and 17 is/are rejected.
- 7) ☒ Claim(s) 2,3,6,7,10,11,15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2826

## **DETAILED ACTION**

### ***Priority***

1. Submission of the certified translation of the Japanese Priority Document (2000-245989) is acknowledged. Hence, US PG-Pubs 2002/0028544 (Fujimoto) and USPN 6,789,910 (Kimura) are not available as a prior art.

### ***Allowable Subject Matter***

2. The indicated allowability of claim 13 is withdrawn in view of the newly discovered reference(s) to Segawa et al. ("Segawa") US PG-Pub 2004/0150762. Rejections based on the newly cited reference(s) follow.

3. Claims 18-27 are allowed.

4. Claims 2, 3, 6, 7, 10, 11, 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Art Unit: 2826

6. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Segawa.

Segawa discloses in figs. 1-3 a semiconductor device comprising: a first electrode 70; an insulating film 15/12 formed on said first electrode; a contact hole 18 which is provided in said insulating film and has a depth so as to reach said first electrode; a gate wiring 51 which is formed on said insulating film and connected with said first electrode through said contact hole and connected with a third electrode 70 (the second leg of layer 70) through a second contact hole 18; a second electrode 20 provided on said insulating film; and a liquid crystal layer 21 provided over said second electrode, wherein said first electrode overlaps with said second electrode with said insulating film interposed therebetween.

7. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Segawa.

Segawa discloses in figs. 1-3 a semiconductor device comprising: a semiconductor film 13, a gate insulating film 12 formed on said semiconductor film; a first electrode 70 on said gate insulating film and overlaps said semiconductor film; an insulating film 15 formed on said first electrode; a contact hole 18 which is provided in said insulating film and has a depth so as to reach said first electrode; a gate wiring 51 which is formed on said insulating film and connected with said first electrode through said contact hole; a second electrode 20 provided on said insulating film; and a liquid crystal layer 21 provided over said second electrode, wherein said first electrode overlaps with said second electrode with said insulating film interposed therebetween.

8. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Segawa.

Segawa discloses in figs. 1-3 a semiconductor device comprising: a first semiconductor film 13; a second semiconductor film 13d; a gate insulating film 12 provided on said first

Art Unit: 2826

semiconductor film and said second semiconductor film; a first electrode 70 which is provided on said gate insulating film, intersects said first semiconductor film, and overlaps said second semiconductor film; an insulating film 15 formed on said first electrode; a contact hole 19 which is provided in said insulating film and has a depth so as to reach said first electrode; a gate wiring 51 which is formed on said insulating film and connected with said first electrode through said contact hole; a second electrode 20 provided on said insulating film; and a liquid crystal layer 21 provided over said second electrode; wherein said first electrode overlaps with said second electrode with said insulating film interposed therebetween.

As to the said second electrode being provided so as to block an electric field by said first electrode to said liquid crystal layer recited in claims 1, 5 and 9, a recitation of an intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

9. Claims 13 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Segawa.

Segawa discloses in figs. 1-3 a semiconductor device comprising: a first electrode 70; an insulating film 15/12 formed on said first electrode; a contact hole 18 which is provided in said insulating film and has a depth so as to reach said first electrode; a gate wiring 51 which is formed on said insulating film and connected with said first electrode through said contact hole; a second electrode 20 provided on said insulating film and a liquid crystal layer 21 provided over said second electrode (as in claim 14), wherein said first electrode being overlapped at a

Art Unit: 2826

percentage -- within the range recited in the claim -- of an area thereof with said second electrode.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4, 8, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Segawa.

Segawa omits that electronic equipment selected from the group consisting of a video camera, a digital camera and other various electronic equipment. However, Examiner takes Official Notice that an electronic equipment comprising a display device wherein said electronic equipment selected from the group consisting of a video camera or a digital camera is conventional and well known. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have used any of the various electronic equipment since Examiner takes Official Notice that due to their low power consumption, displays have become a necessary and indispensable structural element of an electronic equipment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Sefer whose telephone number is (571) 272-1921.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915.

Art Unit: 2826

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS  
July 11, 2005

NATHAN J. FLYNN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2826

